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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,246	12/10/2001	Yukako Nii	1035-357	9946
23117	7590	04/06/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			TRUONG, LAN DAI T	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/006,246	NII ET AL.	
	Examiner	Art Unit	
	lan dai thi truong	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is response to communications: application, filed 12/10/2001; amendment filed 12/23/2005. Claims 1-35 are pending. Claims 34-35 are added ; claims 1-33 are amended.

2. The applicant's argument file on 12/23/2005 have fully considered but they are moot in view with new ground for rejection

Claim rejections-35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1) Claims 1-4, 8, 10-24, 28, 30-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Murphy (U.S. 6,232,874), “Murphy”, herein after.

Regarding to claim 12, which is exemplary with claims 1-4, 8, 10-11, 16-17, 31-33:

Murphy discloses the invention substantially as claimed, including a method, apparatus and system, which can be implemented in a computer hardware or software code for an inside-vehicle information communication, comprising:

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An inside-vehicle information communication apparatus which is provided in a vehicle:
(Murphy discloses a invention relates to imposition or restrictions on or control of use of vehicle
by a vehicle operator: column 2, lines 30-39)

An electric device processed by a passenger of the vehicle: (Murphy discloses “a token”
which is equivalent to “An electric device”: abstract, lines 1-12; column 2, lines 29-29; column
6, lines 60-67; column 7, lines 1-32)

The inside-vehicle information communication apparatus including:

A communication section for transmitting information to and receiving information from
the electric device: abstract, lines 1-12; column 2, lines 29-29; column 6, lines 60-67; column 7,
lines 1-32)

and a managing section (a) for outputting a request for electronic ticket to the electric
device possessed by the user, upon receipt of a request for connection from the electric device:
(Murphy :abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67;
column 7, lines 1-32)

(b) For receiving the electronic ticket information via the communication section:
(Murphy discloses “driver identification” which is equivalent to “the electronic ticket
information”: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines
60-67; column 7, lines 1-32)

(c) For confirming, based on the electronic ticket information, whether the passenger has
the right to use the vehicle: (Murphy discloses “driver identification” which is equivalent to “the
electronic ticket information”: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9;
column 6, lines 60-67; column 7, lines 1-32)

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(d) for allowing an electric device to be connected to the inside-vehicle information communication apparatus to enable communication therebetween in the vehicle if the managing section confirms that the passenger has the right to use the vehicle: (Murphy :abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

The electric device including: (a) a radio section for transmitting information to and receiving information from the communication section of the inside-vehicle information communication apparatus: (Murphy: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

(b) A memory section for saving vehicle using right information and private information: (Murphy: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67)

(c) A controlling section for controlling the radio section and the memory section: (Murphy: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

Regarding to claim 13, which is exemplary with claim 14:

Murphy discloses the invention substantially as claimed, including a system, which can be implemented in a computer hardware or software code for an inside-vehicle information communication, comprising:

A vehicle for carrying users: (Murphy discloses “driver” which is equivalent to “users”: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

The inside-vehicle information communication apparatus including:

a communication section for transmitting information to and receiving the information from an the electric device possessed by a passenger of the vehicle: (Murphy: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

and a managing section (a) for outputting a request for electronic ticket information, to the electric device possessed by the passenger, upon receipt of a request for connection outputted from the electric device: (Murphy discloses the driver provides identification sample is response to “command” which is equivalent to “request”: figure 2A; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

(b) for receiving the electronic ticket information via the communication section: (Murphy discloses “driver identification” which is equivalent to “electronic ticket information”: abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

(c) For confirming, based on the electronic ticket information, whether the passenger has the right to use the vehicle using right information, and (d) for allowing the electric device to be connected to the inside-vehicle information communication apparatus to enable communication therebetween if the managing section confirms that the passenger has the right to use the vehicle: (Murphy: figure 2A; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

Regarding to claims 5, 7 which is exemplary with claims 6 and 9:

Murphy discloses the invention substantially as disclosed in claim 3, but does not explicitly teach causing the server, provided in the vehicle, to specify a time and/or geographical

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range, in which the server can be used, with respect to each of the electric devices allowed to be connected to the server, in accordance with the vehicle using right information that have been inputted and the transportation information concerning the transportation of the vehicle that is stored in the server; and performing a specific process with respect to the electric device, when the electric device is to be away from the time and/or geographical range in which the server can be used: (Murphy: abstract, lines 14-19)

Regarding to claim 15:

Murphy discloses a method as discuss in claim 12, which further includes wherein said electric device is possessed by each user, and is portable: (Murphy discloses “token” which is equivalent to “portable electronic device”: figure 2A; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

Regarding to claims 18, which is exemplary with claim 30:

A vehicle-provided communication network system, comprising a server, provided in a vehicle, and an information communication terminal provided in the vehicle, wherein:

The information communication terminal comprises (a) a reading section for reading a first using condition to use the system from a first information recording medium in which the first using condition is recorded: (Murphy discloses “a database” which is equivalent to “recording medium”: figure 2A; column 5, lines 15-31; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

(b) Transmitting means for transmitting the using condition, read by reading means, to the server: (Murphy discloses “a database” which is equivalent to “recording medium”: figure

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2A; column 5, lines 15-31; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

The server which has (a) memory means for storing the using condition to use the system: (Murphy discloses “a database” which is equivalent to “recording medium”: figure 2A; column 5, lines 15-31; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

(b) A first checking means for checking the using condition, transmitted from the transmitting means, with the using condition, stored in the memory means, and communication controlling means which enables information communication, performed between the server and the information communication terminal, only in a case where the first checking means judges the both using conditions are identical to each other: (Murphy discloses “a database” which is equivalent to “recording medium”: figure 2A; column 5, lines 15-31; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

Regarding to claims 19, 28:

A vehicle-provided communication network system which performs information communication between a server, provided in a vehicle, and an information communication terminal, provided in the vehicle, the server comprising:

(a) external communication section for performing the information communication with an information communication apparatus outside the vehicle: (Murphy discloses “a telecommunication module” which is equivalent to “external communication section”: figure 6, items 185; column 14, lines 25-47)

(b) Memory section for storing identification information of a portable communication terminal connected to the information communication terminal: (Murphy discloses “a database” which is equivalent to “memory section”: figure 2A; column 5, lines 15-31; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32

and wherein the system further comprises:

a relay section for performing a relay with respect to communication performed between the information communication apparatus and the portable communication terminal, or receiving information transmitted from the information communication apparatus, instead of the portable communication terminal, in a case where the external communication section receives the information transmitted from the information communication apparatus to the portable communication terminal, the information being the identification information stored in the memory section: (Murphy: column 14, lines 25-47; column 6, lines 60-67; column 7, lines 1-17)

Regarding to claim 20, which is exemplary with claim 21-22:

Murphy discloses the invention substantially as disclosed in claim 18, which further includes external communication such as satellite means for performing the information communication with the information communication apparatus such as portable personal computer outside the vehicle but does not explicitly teach storing means for storing information received via the external communication means from the information communication apparatus, before or after the information communication performed between the server and the information communication terminal begins, said information communication terminal using the information stored in the storing means after the information communication performed between the server

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and the information communication terminal begins: (Murphy: figure 6, items 185; abstract, 26-29; column 14, lines 25-47; column 6, lines 60-67; column 7, lines 1-17)

Regarding to claims 23- 24:

An information recording medium issuing apparatus which issues a first information recording medium storing a using condition to use a vehicle provided communication network system in which information communication is performed in a vehicle between a server and an information communication terminal, both located in the vehicle, and sets a first using condition to user the vehicle-provided communication network system and a second using condition to use the vehicle in advance, comprising:

A third reading section for reading a third using condition from a second information recording medium in which the third using condition to use the vehicle is stored; a second reading section for reading the second using condition that has been set; a checking section for checking the second using condition, read by the second reading section, with the third using condition, read by the third reading section; a first reading section for reading the first using condition that has been set: (Murphy: figure 2A; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

And a recording section for recording the first using condition in the first information recording medium, where said recording section for recording the first using condition in the first recording medium, when the checking section judges that the second using condition is identical to the third using condition: (Murphy: figure 2A; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

Regarding to claim 34:

An in-vehicle information communication method for providing in-vehicle information communication capability to a passenger carrying onto the vehicle an information terminal in which electronic ticket information is stored, the method comprising:

Receiving at a server on the vehicle the electronic ticket information of the information terminal;

Determining at the server, based on a confirming operation involving the received electronic ticket information, whether to connect the server to the information terminal

If the server connects to the information terminal to enable information therebetween in the vehicle, sending to the information terminal, from the server, notification information for notifying the passenger that the information terminal is connected to the server and can be use the server for in-vehicle information communication

Regarding to claim 35:

An in-vehicle information communication method for providing in-vehicle information communication capability to a passenger of vehicle, the method comprising:

Receiving at a server from an information communication terminal on the vehicle, electronic ticket information for the passenger that is read from a storage medium carried onto the vehicle by the passenger: (Murphy: abstract, lines 1-28; column 2, lines 24-67; column 3, lines 1-9; column 5, lines 15-31; column 6, lines 60-67; column 7, lines 1-32)

Determining at the server, based on a confirming operation involving the received electronic ticket information, whether to connect the server to the information terminal:
(Murphy: abstract, lines 1-28; column 2, lines 24-67; column 3, lines 1-9; column 5, lines 15-31; column 6, lines 60-67; column 7, lines 1-32)

If the server connects to the information terminal to enable information therebetween in the vehicle, sending to the information terminal, from the server, notification information for notifying the passenger that the information terminal is connected to the server and can be use the server for in-vehicle information communication: (Murphy: abstract, lines 1-28; column 2, lines 24-67; column 3, lines 1-9; column 5, lines 15-31; column 6, lines 60-67; column 7, lines 1-32)

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or descry bed as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2) Claims 25-26, 29 are rejected under 35 U.S.C 103(a) as being un-patentable over Murphy and in view of Fuku et al. (U.S. 6,868,170)

Regarding to claims 25-26 and 29:

Murphy discloses the invention substantially as disclosed in claims 18 and 19, but does not explicitly teach wherein said server includes deleting means for deleting information, and the deleting means deletes information, that has been processed by the information communication terminal, after the information communication, performed between the server and the information communication terminal, is finished: see (Fuku: column 2, lines 45-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Fuku's ideas of deleting the fingerprint information in the storage unit with Murphy's system in order to save memory

3) Claim 27 is rejected under 35 U.S.C 103(a) as being un-patentable over Murphy and in view of Joao (U.S. 6,549,130)

Regarding to claim 27:

Murphy discloses a method as discuss in claim 19, but does not explicitly discloses switching means for cutting off a connection between the portable communication terminal and the server so as to reconnect said portable communication terminal to another portable communication terminal, wherein said switching means cuts off the connection between the portable communication terminal and the server, after the information communication performed between the server and the portable communication terminal is finished, and reconnects said portable communication terminal to another portable communication terminal, see (Joao discloses the command codes can be disable and then re-enable or reset: column 6, lines 37-47)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Joao's ideas of re-enable or reset with Murphy's system in order to provide secure vehicle control system, see (Joao: column 6, lines 37-47)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Dai Thi Truong
Examiner
Art Unit 2143

Ldt
03/27/2006


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